

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FEDERAL TRADE COMMISSION and
THE PEOPLE OF THE STATE OF NEW
YORK, by LETITIA JAMES, Attorney
General of the State of New York,

Plaintiffs,

v.

QUINCY BIOSCIENCE HOLDING
COMPANY, INC., a corporation;

QUINCY BIOSCIENCE, LLC, a limited
liability company;

PREVAGEN, INC., a corporation
d/b/a/ SUGAR RIVER SUPPLEMENTS;

QUINCY BIOSCIENCE
MANUFACTURING, LLC, a limited
liability company; and

MARK UNDERWOOD, individually and as
an officer of QUINCY BIOSCIENCE
HOLDING COMPANY, INC., QUINCY
BIOSCIENCE, LLC, and PREVAGEN,
INC.,

Defendants.

Case No. 1:17-cv-00124-LLS

DEFENDANTS' PRETRIAL SUBMISSIONS

Pursuant to Section 4.B.2 of this Court's Individual Practices and the Orders of this Court dated November 23, 2021 and August 2, 2022, Defendants Quincy Bioscience Holding Company, Inc., Quincy Bioscience, LLC, Prevagen, Inc. d/b/a Sugar River Supplements, Quincy Bioscience Manufacturing, LLC, and Mark Underwood hereby submit the following pretrial materials:

1. Declaration of Glenn T. Graham, submitted herewith as **Exhibit 1**;
2. Defendants' trial brief, submitted herewith as **Exhibit 2**;
3. Quincy's proposed voir dire, submitted herewith as **Exhibit 3**;

4. Quincy's proposed jury instructions, submitted herewith as **Exhibit 4**; and
5. Defendants' list of list of individuals or companies that may appear as witnesses or otherwise be referred to during the trial of this Action, submitted herewith as **Exhibit 5**.

Dated: November 17, 2022

KELLEY DRYE & WARREN LLP

By: /s/ Geoffrey W. Castello

John E. Villafranco (admitted *pro hac vice*)
Geoffrey W. Castello
Jaclyn M. Metzinger
Glenn T. Graham
3 World Trade Center
175 Greenwich Street
New York, NY 10007
Tel: (212) 808-7800
Fax: (212) 808-7897
jvillafranco@kelleydrye.com
gcastello@kelleydrye.com
jmetzinger@kelleydrye.com
ggraham@kelleydrye.com

*Counsel for Defendants Quincy Bioscience
Holding Company, Inc., Quincy Bioscience,
LLC, Prevagen, Inc. d/b/a Sugar River
Supplements, and Quincy Bioscience
Manufacturing, LLC*

COZEN O'CONNOR P.C.

By: /s/ Michael de Leeuw

Michael de Leeuw
Tamar S. Wise
3 World Trade Center
175 Greenwich Street
New York, New York 10007
Tel: (212) 908-1331
mdeleeuw@cozen.com
twise@cozen.com

Counsel for Defendant Mark Underwood